



HISTORIC LANDMARKS COMMISSION

ACTION MINUTES

December 5, 2018

Regular Meeting

6:30 p.m.

T-332

200 East Santa Clara Street

San José, CA 95113

Commission Members

Edward Saum, Chair

Paul Boehm, Vice Chair

Harriett Arnold

Anthony Raynsford

Stephen Polcyn

Rachael Royer

Eric Hirst

Rosalynn Hughey, Director

Department of Planning, Building & Code Enforcement

Note

To request an accommodation for City-sponsored meetings or events or an alternative format for printed materials, please call Support Staff at 408-535-3505 or 408-294-9337 (TTY) as soon as possible, but at least three business days before any meeting or event. If you requested such an accommodation, please identify yourself to the technician seated at the staff table. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

If you want to address the Commission, **fill out a speaker card (located at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.**

The procedure for public hearings is as follows:

- After the staff report, ***applicants may make a five-minute presentation.***
- Anyone wishing to speak in favor of the proposal should prepare to come forward. After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. ***Each speaker will have two minutes.***
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Commission will then close the public hearing.
- ***The Historic Landmarks Commission will take action on the item.***

The procedure for referrals is as follows:

- Anyone wishing to speak on a referral should prepare to come forward. ***Each speaker will have two minutes.***
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- ***The Historic Landmarks Commission will comment on the referral item.***

If a Commissioner would like a topic to be addressed under one of the Good and Welfare items, please contact Planning staff in advance of the Commission meeting.

An agenda and a copy of all staff reports have been placed on the table for your convenience. All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Planning, Building and Code Enforcement at San José City Hall, 200 E. Santa Clara Street, 3rd Floor Tower, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

AGENDA

ORDER OF BUSINESS

ROLL CALL

Present: Commissioners Saum, Boehm, Polcyn, and Raynsford

Absent: Commissioners Arnold, Hirst, and Royer

1. DEFERRALS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

No Items

2. CONSENT CALENDAR

The consent calendar items are considered to be routine and will be adopted by one motion.

There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time.

- a. **HP18-001.** Historic Preservation Permit to allow the demolition of an existing garage and deck, and an 86-square foot addition to rear of the existing single-family residence, exterior modifications, a new 392-square foot secondary unit, and the removal of three non-ordinance sized trees to an existing single-family residence on a 0.1-gross acre site located in the R-M Multiple Residence Zoning District located at 512 South 5th Street in the Reed City Landmark District. District 3. CEQA: Exempt pursuant to CEQA Sections 15301 for Existing Facilities and 15331 for Historical Resource Restoration/Habilitation.

PROJECT MANAGER, RHONDA BUSS

Recommendation: Planning staff recommends that the Historic Landmarks Commission recommend that the Director of Planning approve the proposed Historic Preservation Permit.

Staff restated their recommendation. The Commissioners reviewed the plans and asked the applicant a few minor clarifying questions. The Commission voted to approve the staff recommendation as is. The motion passed (4-0-3)

3. PUBLIC HEARINGS

- a. **HP17-002.** Historic Preservation Permit to allow the removal of a 31-square foot shed from the rear interior (northeast) corner, removal of a 170-square foot previously

enclosed porch, and construction of a first and second story addition of 388 square feet, to the rear of a two and a half-story City Landmark Structure (HL06-156), the Arguello-Gosbey House (also known as The Hensley House), in the Hensley Historic District located at 456 North 3rd Street, on a 0.14-gross acre site in the R-M Multiple Residence Zoning District (Lea King, Owner) located on the northeast corner of North 3rd Street and Hensley Street (456 North 3rd Street). Council District 3. CEQA: Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resource Restoration/Rehabilitation.

PROJECT MANAGER, RINA SHAH

Recommendation: Planning staff recommends that the Historic Landmarks Commission recommend that the Director of Planning approve the proposed Historic Preservation Permit.

The staff report was presented by Rina Shah, Project Manager. The Commissioners reviewed the plans and asked the applicant clarifying questions. The Commission asked that the plans correctly show the proposed double-hung windows. The Commission voted to approve the staff recommendation as is. The motion passed (4-0-3)

- b. **1195 Willow Street City Landmark Nomination.** The subject house is on a 0.25-gross acre site located on the north side of Willow Street, approximately 110 feet easterly of Carolyn Avenue (1195 Willow Street), in the R-1-8 Single-Family Residence Zoning District (Todd and Jacqueline Courtney, owners). Council District: 6. CEQA: Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resource Restoration/Rehabilitation.

PROJECT MANAGER, RINA SHAH

HL18-002. Historical Landmark Nomination to designate “Carrie and Frank Dreischmeyer House” as a City Landmark on a 0.25-gross acre site in the R-1-8 Single-Family Residence Zoning District.

MA18-002. Historical Property Contract (California Mills Act Contract) between the City of San José and the owners of the subject property.

Recommendation: Planning staff recommends that the Historic Landmarks Commission recommend that the City Council approve the proposed Historic Landmark Designation and Historical Property Contract.

The staff report was presented by Rina Shah, Project Manager. The applicant and their historic consultant explained the importance of the house. Staff mentioned that the Mills Act will help to restore the home to the more original design. Commissioners discussed the Mills Act work plan. The Commission voted to approve the staff recommendation as is. The motion for both cases passed (4-0-3)

4. **REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES**

No Items

5. OPEN FORUM

Members of the public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Commission. The Commission cannot engage in any substantive discussion or take any formal action in response to the public comment. The Commission can only ask questions or respond to statements to the extent necessary to determine whether to: (1) refer the matter to staff for follow-up; (2) request staff to report back on a matter at a subsequent meeting; or (3) direct staff to place the item on a future agenda. Each member of the public may fill out a speaker's card and has up to two minutes to address the Commission.

Speaker Helene Ehrlich of San Jose, representing her husband, Carlos Rodriguez, a muralist, spoke about the question of preserving murals.

6. GOOD AND WELFARE

a. Report from Secretary, Planning Commission, and City Council

- i. Past Agenda Items: No items.
- ii. Future Potential Agenda Items: Hotel Clariana (H17-059 & HP17-007), Invicta (H18-030).
- iii. Summary of communications received by the Historic Landmarks Commission.

Staff provided a copy of the letter from the State Office of Historic Preservation notifying the City of the nomination of the Fairglen neighborhood of homes to the National Register.

iv. Project Updates

Staff provided an update to the Saint James Park project which will return to the DRC for review.

v. Historic Murals

Staff provided a very brief presentation on the topic of identifying historic murals. The public spoke on the topic and helped to explain what the murals mean in terms of identity, community, history, etc, particularly to local Chicano history. Speakers asked about how to protect murals.

Speakers were from San Jose and included:

Gabriel Hernandez, representing Somos Vecinos Activos

Miguel, representing Jovenes Activos

Bryan Gutierrez, representing Jovenes Activos

Anthony Mata, representing Jovenes Activos

Katheryn Mata

Antonio Martinez, Jovenes Activos

Sandra Mata

Ashlie Andrade

Sofia Arredondo, Jovenes Activos

Sachin Radhakrishnan, Vice Mayor Carrasco's Office

Speakers mentioned the location of certain murals and the Commissioners expressed their interest in knowing where they are located.

Commissioners appreciated the information and expressed that this is a start in understanding importance. Brian Grayson of PAC SJ reached out and explained the preservation advocacy work around the signs.

vi. **Historic Signs**

Staff provide a brief presentation informing the Commission that staff proposes to recommend placing historic signs on the History Resources Inventory at the next meeting, to include a survey, context, and possible next steps. Notices will be sent to owner allowing them to speak on the item.

b. **Report from Committees**

i. Design Review Subcommittee: Meeting held on November 21, 2018

DRC members provided a summary of the meeting that reviewed the Invicta project.

c. **Approval of Action Minutes**

i. **Recommendation:** Approval of Action Minutes for the Historic Landmarks Commission Meeting of [November 7, 2018](#)

Commissioners adopted the minutes with the following corrections at the request of Bryan Grayson of PAC SJ

- 1. Change “Grey’s” House to the correct “Graves” House*
- 2. Clarify that PAC SJ stated that the decades of neglect and deterioration experienced by the First Church of Christ, Scientist building is a good example of what not to have happen to other historic properties, page 4.*

d. **Status of Circulating Environmental Documents**

None

ADJOURNMENT

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.